

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A JUDGE, NO. 01-244
(Judge Charles W. Cope)

Case No. SC01-2670

/

AMENDED NOTICE OF DEPOSITIONS DUCES TECUM FOR SANDRA BACKINGER

TO: The Honorable Charles W. Cope
c/o Louis Kwall
Kwall, Showers & Coleman, P.A.
133 North Fort Harrison Avenue
Clearwater, Florida 33755

and

Robert W. Merkle, Jr., Esquire
Merkle & Magri, P.A.
5510 W. La Salle Street, #300
Tampa, Florida 33607-1713

Please take notice that pursuant to Rule 12(a), Florida Judicial Qualifications Commission Rules, and Rule 1.310, Florida Rules of Civil Procedure, the Special Counsel for the Florida Judicial Qualifications Commission will take the deposition of Sandra Backinger on Monday, March 11, 2002, commencing at 10:00 a.m. at the Doubletree Hotel, 2 Portola Plaza, Monterey, California 93940, before Atkinson-Baker, Inc., Official Court Reporter, or some other officer duly authorized by law to take depositions. At the sole option of the Special Counsel for the Florida Judicial Qualifications Commission, this deposition may be videotaped. The depositions will continue from day to day until completed and are being taken for the purpose of discovery, for use at trial, or both of the foregoing, or for such other purposes as are permitted under the applicable and governing rules. The deponent is to have with her, for inspection and copying, the documents listed on attached **Exhibit A**.

Individuals with disabilities needing a reasonable accommodation to participate in this proceeding should contact Foley & Lardner not later than seven (7) days prior to the proceeding. If notice to the individual is less than seven (7) days, then the individual should contact Foley & Lardner as soon as possible after receiving this Notice. Telephone: (904) 359-2000; or if hearing impaired, 1-800-955-8771 (TDD); or 1-800-955-8770 (V), via Florida Relay Services.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and regular U.S. mail to: **Louis Kwall, Esq.**, Kwall, Showers & Coleman, P.A., 133 N. St. Harrison Ave., Clearwater, Florida 33755; **Robert W. Merkle, Jr., Esq.**, Co-Counsel for Respondent, 5510 W. La Salle Street, #300, Tampa, Florida 33607-1713; **Judge James R. Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3rd District Court of Appeal, 2001 S.W. 117th Ave., Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida 32301; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, Florida 32303; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602., this 28th day of February, 2002.

Special Counsel
Florida Judicial Qualifications Commission

By:
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EXHIBIT A

1. Any and all documents that reflect the names, addresses, and/or phone numbers of all guests staying at the Normandy Inn on April 3 and 4, 2001.
2. A map or layout of the Normandy Inn indicating the location of room numbers, such as one used for fire escape plans.
3. Any photographs of the Normandy Inn that include Room 306.
4. Any and all documents relating to Lisa and Nina Jeanes stay at the Normandy Inn, including the nights of April 3 and 4, 2001, including but not limited to their account statement, any incident reports (such as a report involving a lost key or a break in attempt), and any correspondence with any person regarding events transpiring during their stay.
5. Any and all documents relating to the keys and locks to guest rooms.
6. A key to Room 306 at the Normandy Inn that would have opened the door to that room on April 5, 2001, or, if such a key is not available, a substantially similar key from another room from the same general time period.
7. Any and all documents constituting, reflecting, or relating to any known, reported, or suspected incidents in 2001 in which a person intentionally or accidentally attempted to gain entry to a guest room at the Normandy Inn to which they were not registered.
8. Any and all documents relating to communications directed to owners or employees or the Normandy Inn regarding any of the areas designated above (such as communications by attorneys or investigators).